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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,097	11/25/2003	Miwa Kozawa	032132	4454
38834 7590 03/21/2008 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
CHACKO DAVIS, DABORAH				
ART UNIT		PAPER NUMBER		
1795				
MAIL DATE		DELIVERY MODE		
03/21/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/720,097

**Applicant(s)**

KOZAWA ET AL.

**Examiner**

DABORAH CHACKO DAVIS

**Art Unit**

1795

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7 and 10-22 is/are pending in the application.
- 4a) Of the above claim(s) 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 10-20, 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. Claims 1-5, 7, 10-20, and 22, are rejected under 35 U.S.C. 103(a) as being unpatentable over EP1152036 (Kanda et al., hereinafter referred to as Kanda) in view of U. S. Patent No. 5,173,393 (Sezi et al., hereinafter referred to as Sezi).

Kanda, in [0001], [0006], [0007], [0008], [0016], [0020], [0023], [0024], discloses a process for forming a resist pattern by forming a resist pattern on a substrate (underlying object), heating the resist pattern formed on the substrate to a temperature of 50 to 140°C, applying a water-soluble resin composition (a resist pattern thickening material) on the resist pattern, wherein the resist pattern thickening material includes a metal-free surfactant (second surfactant). Kanda, in [0038], discloses that the fine resist pattern formed after the thickening process and developing, can be used as a mask to form trenches or holes in the underlying semiconductor substrate (by etching thru the mask). Kanda, in [0024], discloses that resist pattern to be thickened (resist pattern) is coated with a coating layer (resist pattern to be thickened) and is then subjected to a heat treatment (prebaking) (claims 1-3, 7, 20, and 22). Kanda, in [0009], [0011], [0012], [0016], [0018], [0019], [0022], discloses that the resist pattern thickening material is a water-soluble resin composition that includes i) a resin such as polyvinyl alcohol, ii) a crosslinking agent such as a melamine derivative, iii) an organic solvent such as alcohol solvents, ester solvents, and ether solvents (claims 10-15). Kanda, in [0024], discloses that the resist pattern thickening material (coating material) is developed in pure water, after applying the coating material onto the resist pattern

(claims 16-17). Kanda in [0023], discloses that the resist pattern material is an ArF resist (resist exposed using an ArF excimer laser) (claim 18).

The difference between the claims and Kanda is that Kanda does not disclose applying a first surfactant on the resist pattern to be thickened. Kanda does not disclose that the resist pattern is heated after applying the surfactant. Kanda does not disclose that the surfactant composition includes a solvent that does not dissolve the resist pattern to be thickened, and that the solvent is water (claims 4-5). Kanda does not disclose that the surfactant composition is a metal-free surfactant such as a non-ionic surfactant and is selected from the group recited). Kanda does not disclose that the ArF resist material is selected from the group recited in claim 19.

Sezi, in col 6, lines 60-68, in col 8, lines 9-11, discloses that a surfactant solution that is metal-free, and is non-ionic, such as alcohol is applied on the photoresist structure, and the treated photoresist structure is dried by heating. Sezi, in col 7, lines 30-58, discloses that the photoresist structure is treated with a reactant that comprises isopropyl alcohol (non-ionic surfactant) and has a solvent such as water (that does not dissolve the resist pattern). Sezi, in col 3, lines 3-6, in col 4, lines 44-60, discloses that the photoresist material that forms the photoresist structure is derived from polymerization or copolymerization of olefinically unsaturated anhydrides, and that the anhydrides can be cyclic.

Therefore, it would be obvious to a skilled artisan to modify Kanda by employing the process of treating the resist pattern to be thickened with a surfactant solution as suggested by Sezi because Sezi, in col 7, lines 3-8, and in col 8, lines 38-55, discloses

that the resultant photoresist structure has an increased etch resistance and is therefore suitable to be used as an etch resistant mask. It would be obvious to a skilled artisan to modify Kanda by employing the resist pattern material suggested by Sezi because Sezi, in col 4, lines 44-55, discloses that the resist material used for forming the photoresist structure includes reactable groups such as anhydrides that do not exhibit an increased absorption of DUV light.

### ***Response to Arguments***

2. Applicant's arguments filed January 7, 2008, have been fully considered but they are not persuasive. The 103 rejection made in the previous office action (paper no. 20070806) has been maintained.

A) Applicants argue that there is no teaching that the etch treatment of Sezi et al., is useful for increasing etch resistance to any other etching medium besides halogen-containing etching plasma.

Kanda teaches the formation of a resist pattern. Sezi et al., is depended upon to disclose the application of a surfactant on an already formed resist pattern. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the treatment is not useful for increasing the etch resistance to any other etching medium besides halogen-containing plasma) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read

into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

B) Applicants argue that Sezi et al's treatment composition is merely a rinsing of the resist pattern with alcohol or the like, and that the alcohol used by Sezi et al., is not a nonionic surfactant.

The claims recite applying a surfactant composition on the resist pattern to be thickened. The claims do not recite that surfactant is applied so as to nucleate or form a film on the surface of the resist pattern to be thickened. Sezi et al., treat's the resist pattern to be thickened by applying the alcohol on the surface of the resist pattern via rinsing. Rinsing includes applying on the surface. Also, the claims recite alcohols as the non-ionic surfactant (metal-free surfactant). Isopropyl alcohol is an alcohol, and is used in the manner claimed.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daborah Chacko-Davis whose telephone number is (571) 272-1380. The examiner can normally be reached on M-F 9:30 - 6:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark F Huff can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dcd

/Daborah Chacko-Davis/  
Primary Examiner, Art Unit 1795

March 14, 2008.

**Application Number****Application/Control No.**

10/720,097

**Applicant(s)/Patent under  
Reexamination**

KOZAWA ET AL.

**Examiner**

DABORAH CHACKO DAVIS

**Art Unit**

1795